

08/367056


**UNITED STATES DEPARTMENT OF COMMERCE  
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SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/367,056 12/30/94 SAIGH

E3M1/0401

 MICROTOME INC  
C/O DOUGLAS R BROCKHOUSE  
VICE PRESIDENT  
612 ROSEWOOD LANE  
ST LOUIS MO 63122

M	DN1331
EXAMINER	

LIM, K

ART UNIT	PAPER NUMBER
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2315  
DATE MAILED:

04/01/96

 This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

☐ This application has been examined ☒ Responsive to communication filed on 12/27/96 ☒ This action is made final.

 A shortened statutory period for response to this action is set to expire three (3) month(s), 0 days from the date of this letter.  
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133
**Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:**

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited by Examiner, PTO-892.        | 2. <input type="checkbox"/> Notice of Draftsman's Patent Drawing Review, PTO-948. |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449.             | 4. <input type="checkbox"/> Notice of Informal Patent Application, PTO-152.       |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/>   |

**Part II SUMMARY OF ACTION**1. ☒ Claims 1-18 are pending in the application.

Of the above, claims \_\_\_\_\_ are withdrawn from consideration.

2. ☐ Claims \_\_\_\_\_ have been cancelled.3. ☐ Claims \_\_\_\_\_ are allowed.4. ☒ Claims 1-18 are rejected.5. ☐ Claims \_\_\_\_\_ are objected to.6. ☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.7. ☐ This application has been filed with Informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.8. ☐ Formal drawings are required in response to this Office action.9. ☐ The corrected or substitute drawings have been received on \_\_\_\_\_. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on \_\_\_\_\_, has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).11. ☐ The proposed drawing correction, filed \_\_\_\_\_, has been ☐ approved; ☐ disapproved (see explanation).12. ☐ Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. \_\_\_\_\_; filed on \_\_\_\_\_.13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.14. ☒ Other - See attached.**EXAMINER'S ACTION**

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15. Claims 1-18 remain for examination.

16. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office Action.

17. The rejections are respectfully maintained and incorporated by reference as set forth in the last office action.

18. Applicant's arguments filed 12/27/95 have been fully considered but they are not deemed to be persuasive.

In the remarks, applicants argues that the item described in the Heller Report issue is a device capable of allowing the visual reading of information electronically stored on unique user memory units. The item described in the present application is a unique system or network by which intellectual properties may be electronically transferred from the creator or owner to persons wishing to purchase the unlimited or limited use thereof in a fashion which reduces the risk of unauthorized or uncompensated use of the information being transferred. In reply, such argument feature is clearly taught in the Heller Report. See paragraph 23 of the previous rejection and page 10 of Heller Report.

19. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE

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ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Krisna Lim** whose telephone number is (703) 305-9672. The examiner can normally be reached on Monday-Thursday from 7:30 AM to 5:00 PM. The examiner can also be reached on alternate Friday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Parshotam S. Lall, can be reached on (703) 305-9715. The fax phone number for this Group is (703) 308-5362.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

kl  
March 30, 1996

  
KRISNA LIM  
PRIMARY EXAMINER  
GROUP 2300